

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

IN RE: ADMINISTRATIVE MATTER

IN RE: William M. Windsor

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CASE NO. 3:14-MC-00045-P

**SEAN D. FLEMING'S RESPONSE TO
WILLIAMS M. WINDSOR'S REQUEST FOR LEAVE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, **SEAN D. FLEMING**, ("Fleming") requesting that William M. Windsor's ("Windsor") Request for Leave to prosecute suit in the 40th Judicial District Court of Ellis County, Texas be denied and would respectfully show the Court as follows:

**I.
INTRODUCTION**

Recently, Windsor requested leave from this Court to prosecute cause number 88611 in a case styled *William M. Windsor v. Joeyisalittlekid, et. al.* in the 40th Judicial District Court of Ellis County, Texas, of which Fleming is a named defendant. Because Windsor is a notorious vexatious litigant who has instituted numerous frivolous and malicious lawsuits for the purpose of harassing public officials and private citizens, Fleming now respectfully requests the Court deny Windsor's request for leave.

**II.
EVIDENCE**

- Exhibit A – Printouts of Windsor's Articles and Online Activities
- Exhibit B – Order from the United States District Court for the Northern District of Georgia
- Exhibit C – Order from the United States District Court for the District of Montana

- Exhibit D – Order from the Montana Fourth Judicial District Court
- Exhibit E – Order from the United States District Court for the District of Columbia
- Exhibit F – Order from the Seventh Judicial Circuit of South Dakota

III. ARGUMENTS AND AUTHORITIES

Windsor is a notorious vexatious litigant who has filed frivolous lawsuits across the country creating a tremendous burden on the legal system and wasting taxpayer resources. According to his online posts, publications, videos and self-branded “Lawless America” websites and Facebook pages, he is on a campaign to expose “corruption” and “dishonesty” in the legal system by filing criminal charges against all “corrupt” public officials and citizens who disagree with his views. *See* Exhibit A. This latter conduct is plainly evident in the following threat he made to all persons who had posted on a blogspot:

I successfully downloaded the entire Joeyisalittlekid website, and I am now making copies for law enforcement authorities. It is evidence in ongoing criminal investigations and for new charges that I am filing. **I am pursuing both civil and criminal RICO charges against every single person who has posted on the site.** Racketeering is the criminal act of engaging in illegal business or acts run as part of organized crime. I believe applicable crimes include criminal copyright infringement, fraud, wire fraud, witness tampering, and interference with commerce. **I am also pursuing conspiracy charges against everyone who has posted along with criminal defamation, stalking, libel, slander, defamation, harassment, terrorism, and much, much, more.**

See Exhibit A (emphasis added).

After making this specific comment, Windsor filed the previously referenced cause in Ellis County against Fleming, and many other defendants, alleging a myriad of frivolous claims including libel, slander, defamation per se, slander per se, intentional infliction of emotional distress, and malice among others.

As a result of Windsor's past conduct, at least five different courts across the nation have issued injunctions against Windsor or declared him a vexatious litigant. *See* Exhibits B-F. Recently, Windsor instituted suit in federal court in Montana against one of the same defendants he is suing in Ellis County and also alleging the same claims of "defamation, libel, slander, invasion of privacy" among others. *See* Exhibit C, at 18-19. In an order dated March 19, 2014, the court discussed Windsor's long history of abuses to the legal system and ordered Windsor to show cause why he should not be declared a vexatious litigant, why the action was not a continuation of his previous abusive litigation, why the action should not be dismissed as frivolous, and why a pre-filing injunction should not be issued against him. *See id* at 25-26. Other courts have made similar findings and issued similar orders. One Montana state court affirmed a Temporary Order of Protection and issued an injunction against Windsor, condemning his calculated behavior used "to intimidate and harass anyone who disagrees with [him]" and his "extraordinary" abuse of the legal system by repeatedly filing "malicious" and "vexatious" lawsuits. *See* Exhibit D, at 5 & 11. A federal court in the District of Columbia also issued an injunction against Windsor and noted how in one case he filed over *sixty-two* post-judgment motions which were continuously denied. *See* Exhibit E, at 1. Another court from South Dakota enjoined Windsor from filing pro se litigation based on the need to "maintain the integrity of the judicial system" and "prevent abuse of the legal process." *See* Exhibit F.

Significantly, after also recognizing Windsor's repeatedly "frivolous, malicious, and vexatious lawsuits" and "extraordinary" abuse of the legal system, the United States District Court for the Northern District of Georgia issued the permanent injunction at issue in this matter on July 15, 2011 that prohibits Windsor him from filing suit in "in any court (state or federal)..."without first obtaining leave of a federal district court in the district in which the new

complaint or proceeding is to be filed.” *See* Exhibit B, at 2 (emphasis added). Despite this order, Windsor instituted suit in Ellis County without first obtaining leave from this Court and is only now seeking leave by order of Judge Carroll from the 40th Judicial District Court in said county.

Because of Windsor’s egregious past conduct and activities, Fleming respectfully asks this Court deny Windsor’s request for leave. Windsor’s actions are a tremendous burden to the courts and to the individuals who are the subjects of his campaigns. Furthermore, thus far Windsor has entirely failed to allege or provide evidence of any wrongful conduct on the part of Fleming, showing the frivolous nature of Windsor’s pending suit. Thus, to maintain the integrity of the judicial system and prevent Windsor from causing further expense and hardship to other individuals and parties, Windsor should not be allowed to prosecute another burdensome and malicious lawsuit in this state.

IV **PRAYER**

WHEREFORE, PREMISES CONSIDERED, Defendant, **SEAN D. FLEMING**, prays that the Court deny William M. Windsor’s request for leave to prosecute suit in cause number 88611, styled *William M. Windsor v. Joeyisalittlekid, et.*, filed in the 40th Judicial District Court of Ellis County, Texas, or any other suit filed in any other district, county, or court in this state.

Respectfully submitted,

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**ATTORNEY FOR DEFENDANT,
SEAN D. FLEMING**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served on all counsel/parties in accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure, on this 27th day of March, 2014.



BARBARA L. HACHENBURG